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July 14, 2004

CERTIFICATE OF MAILING
37 C.F.R. 1.8

I certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:

July 14, 2004

Date

Michael C. Barrett
Michael C. Barrett

MS AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

RE: *U.S. Patent Application No. 10/743,698 entitled "METHODS AND APPARATUS FOR ELECTROSMEAR ANALYSIS" – Peter R.C. Gascoyne et al.*
Our reference: UTXC:760US
Client reference: MDA02-078

Sir:

Enclosed for filing in the above-referenced patent application is an Information Disclosure Statement, Form PTO-1449, and references A1-A13 and C1-C5.

No fees are believed to be due in connection with the filing of this Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to the enclosed materials, the Commissioner is authorized to deduct the appropriate fees from Fulbright & Jaworski Deposit Account No.: 50-1212/UTXC:760US.

Please date stamp and return the enclosed postcard evidencing receipt of these materials.

Respectfully submitted,

Michael C. Barrett

Michael C. Barrett
Reg. No. 44,523

MCB/kmv
Encl.: as noted



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Peter R.C. Gascoyne *et al.*

Serial No.: 10/743,698

Filed: December 22, 2003

For: METHODS AND APPARATUS FOR
ELECTROSMEAR ANALYSIS

Group Art Unit: 3731

Examiner: Unknown

Atty. Dkt. No.: UTXC:760US

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Michael C. Barrett

INFORMATION DISCLOSURE STATEMENT

MS AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 be considered by the Examiner and made of record. Copies of the listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

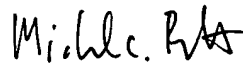
In accordance with 37 C.F.R §§ 1.97(g), (h), this Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be construed to be

an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

The present Information Disclosure Statement is being filed prior to the receipt of a first Official Action reflecting an examination on the merits, and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with the filing of this Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these materials, the Commissioner is authorized to deduct the appropriate fees from Fulbright & Jaworski Deposit Account No.: 50-1212/UTXC:760US.

Applicants respectfully request that the listed documents be made of record in the present case.

Respectfully submitted,



Michael C. Barrett
Reg. No. 44,523
Attorney for Applicants

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600 Congress Avenue, Suite 2400
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Date: July 14, 2004

Form PTO-1449 (modified)

Atty. Docket No.

UTXC:760US

Serial No.

10/743,698

List of Patents and Publications for Applicant's

Applicant

Peter R.C. Gascoyne *et al.*

INFORMATION DISCLOSURE STATEMENT

Filing Date:

December 22, 2003

Group:

3731

(Use several sheets if necessary)

U.S. Patent Documents

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Foreign Patent Documents

See Page 1

Other Art

See Page 1

U.S. Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Name	Class	Sub Class	Filing Date of App.
	A1	5,191,899	3/09/93	Strickland and Saccomanno	128	756	12/12/91
	A2	5,302,898	4/12/94	Pethig <i>et al.</i>	324	316	8/17/90
	A3	5,626,734	5/06/97	Docoslis <i>et al.</i>	204	547	8/18/95
	A4	5,858,192	1/12/99	Becker <i>et al.</i>	204	547	10/18/96
	A5	5,888,370	3/30/99	Becker <i>et al.</i>	204	643	2/23/96
	A6	5,993,630	11/30/99	Becker <i>et al.</i>	204	547	1/31/96
	A7	5,993,632	11/30/99	Becker <i>et al.</i>	204	547	2/01/99
	A8	6,264,815	7/24/01	Pethig <i>et al.</i>	204	547	1/26/99
	A9	6,287,832	9/11/01	Becker <i>et al.</i>	435	173.9	9/14/99
	A10	6,294,063	9/25/01	Becker <i>et al.</i>	204	450	2/12/99
	A11	6,352,838	3/05/02	Krulevitch <i>et al.</i>	435	34	4/07/00
	A12	6,436,662	8/20/02	Mielzynska <i>et al.</i>	435	40.5	4/04/00
	A13	6,437,551	8/20/02	Krulevitch <i>et al.</i>	324	71.1	11/01/00

Foreign Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Country	Class	Sub Class	Translation Yes/No

Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
	C1	Lee <i>et al.</i> , "Micromachined Cell Handling Devices," <i>Conference of IEEE Engineering in Medicine and Biology Society</i> , 1019-1020, 1994.
	C2	Masuda <i>et al.</i> , <i>IEEE Transactions on Industry Applications</i> , 25(4):732-737, 1989.

25380178.1

EXAMINER:

DATE CONSIDERED:

EXAMINER: INITIAL IF REFERENCE CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.



Form PTO-1449 (modified)		Atty. Docket No. UTXC:760US	Serial No. 10/743,698
List of Patents and Publications for Applicant's INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)		Applicant Peter R.C. Gascoyne <i>et al.</i>	
		Filing Date: December 22, 2003	Group: 3731
U.S. Patent Documents <i>See Page 1</i>	Foreign Patent Documents <i>See Page 1</i>	Other Art <i>See Page 1</i>	

Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
	C3	Holmes and Morgan, "Micro total analysis systems 2002," Proceedings of the μ TAS 2002 Symposium, Nara, Japan, 3-7 November 2002.
	C4	TriPath Care Technologies, http://www.tripathimaging.com , printed August 28, 2002.
	C5	American Society of Cytopathology, "Cervical cytology practice guidelines," http://www.cytopathology.org/guidelines/guide_cervical_cytology.php , printed August 28, 2002.

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